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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,448	03/07/2000	Yoshiki Watanabe	21.1932	1165

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/521,448

Applicant(s)

WATANABE, YOSHIKI

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 02/13/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Applicant's request for reconsideration filed 02/13/04 has been entered and carefully considered. However, arguments regarding rejection under 35 USC 103 to claims (1, 3-5, 7-9 and 11-21) have not been found to be persuasive. Therefore, these claims are rejected under the same ground of rejection as set forth in the Office Action mailed (08/13/03).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 7-9 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ertemalp [US. 5,745,110] in view of Leong et al. [US. 5,513,342].

As to claims 1, 5 and 9, Ertemalp discloses a layout control device forming a layout of a schedule table comprising rows and columns defining the layout, the layout formed based on a schedule quantity inside a plurality of display units (figure 11, column 4, line 51 through column 5, line 2); a display control device controlling display of the schedule table according to the layout (column 9, line 63 through column 10, line 7 and column 10, lines 35-53); The difference between Ertemalp

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and the claim is wherein the layout control device forms the layout by adjusting a size of the rows or columns to accommodate the schedule quantity inside the plurality of display units. While Ertermalp shows the size of the row and column, schedule quantity inside the plurality of display units, and also shows adjusting the size of the rows or columns base on the schedule quantity (when the number of days (quantity) increases from one day (Monday) to three days (Monday-Wednesday), the size of Task 4, 3D is adjusted in column to accommodate the three days inside the plurality of display units), Leong et al. clearly teaches the method of automatically adjusting window size and positioning in accordance with window environment changes (column 2, lines 32-45). It would have been obvious to one of ordinary skill in the art, having the teachings of Ertermalp and Leong et al. before them at the time the invention was made to modify the layout control device taught by Ertermalp to include the method of automatically adjusting window size of Leong to combine into "the layout control device forms the layout by automatically adjusting a size of the rows or columns based on the schedule quantity inside the plurality of display units to accommodate the schedule quantity inside the plurality of display units with the motivation of being to display in each column or row with the largest number of items and/or schedule requiring the largest display area as taught by Leong et al.

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As to claims 3, 7 and 11, Ertemalp shows the schedule quantity is a space required for a schedule in a row or a column with a largest number of items and/or the schedule requiring a largest display area and the layout control device forms the layout such that each display unit with the largest number of items and/or the schedule requiring the largest display area is displayed (column 2, lines 51-60 and column 5, lines 15-34).

As to claims 4, 8 and 12, Ertemalp also shows the display control device outputs data controlling the schedule table and the schedule display to a file of a format interpretable by another processing platform (column 6, lines 24-47 and column 1-10, lines 5-52).

As to claim 13, Ertemalp suggests the layout device dividing a calendar period into a plurality of display units displaying information, said display units formed in rows (figure 11, column 2, lines 30-60), shows the adjusting a length of the display units of each row to match the display unit in a respective row displaying a largest size of information inside the display unit (Column 1, lines 57-63)

As to claims 14-21, the claim is analyzed as previously discussed with respect to claims 1 and 13. Ertemalp shows "the layout control device forms the layout by automatically adjusting a size of the rows and columns based on the schedule quantity inside the plurality of display units to accommodate the schedule quantity inside the plurality of display units". When the quantity Task 6 (figure 11, 250) is bigger, both height and width of the display (6) are adjusted together to fit the change.

Response to Arguments

Regarding the argument, Applicant does not see where Ertemalp discloses "the layout is adjusted based on quantities inside the plurality of display units". However, Applicant's attention is directed to column 10, lines 5-22 "Changing the font size will cause the configurable task bar in a daybox to take up more space (if the new font size is bigger) or less space (if the new font size was smaller). The position of other task bars to be displayed in the same daybox must be adjusted to ensure all the tasks will fit in the vertical space. Adjustments are made in the task layout each 81 by re-calculating the vertical position ...". The underlined words disclose more clearly the feature "the layout is formed based on a schedule quantity inside a plurality of display units". In the Ertemalp's system, when the number of days (quantity) increases from one day (Monday) to three days (Monday-Wednesday), the column size of Task 4, 3D is adjusted to accommodate the three days inside the plurality of display units (figure 11). The size of task bars of Ertemalp's system depends on the start and finish time for these tasks but the system still reads on the claim feature of adjusting the column size of the row or columns based on the quantity. Although Ertemalp shows the step of adjusting the size of the row or columns, Leong et al. clearly teaches the method of automatically adjusting window size and positioning in accordance with window environment changes. Applicant's attention is directed to figures 4-5, column 4, lines 25-40 and column 2, lines 32-45

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“The software presentation system automatically adjusts window size and positioning in accordance with window environment changes (e.g. changes in user readable data and/or window resolution)”. In the combination of Ertemalp and Leong, the feature of “the layout control device forms the layout by automatically adjusting a size of the rows or columns based on the schedule quantity inside the plurality of display units to accommodate the schedule quantity inside the plurality of display units” is taught.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-4395` for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a

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properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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Kristine Kincaid
KRISTINE KINCAID
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